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4 UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
5 AT SEATTLE

6 GABRIEL INDELICIO NEVAREZ,

7 Petitioner,

8 v.

9 ROBB JACKSON,

10 Defendant.
11

Case No. C24-5912-RSM-GJL

ORDER GRANTING PETITIONER'S
MOTION FOR EXTENSION OF TIME

12 This matter comes before the Court on Petitioner's Motion requesting an extension of
13 time to file objections to the Report and Recommendation of the Honorable Grady J. Leupold,
14 United States Magistrate Judge, Dkt. #10. On February 26, 2025, Judge Leupold recommended
15 that Petitioner's federal habeas petition be dismissed with prejudice for failing to file by the
16 deadline for the statute of limitations under 28 U.S.C. § 2244(d). *Id.* Petitioner's objections were
17 due 14 days after service of Judge Leupold's Report and Recommendation. *Id.* Petitioner filed
18 the instant Motion on March 10, 2025. Dkt. #11. In Petitioner's Motion, he indicates that he
19 was unable to file objections by the deadline because he is "currently on a lockdown that has
20 been going on for several weeks" and indicates he is entitled to relief from the statute of
21 limitations deadline to his petition because of delays in receiving his legal paperwork while being
22 transferred to general population. *See* Dkt. #11.

23 "A motion for relief from a deadline should, whenever possible, be filed sufficiently in
24 advance of the deadline to allow the court to rule on the motion prior to the deadline," LCR 7(j),

1 and a motion for relief should be granted where “good cause” exists. *See Allstate Indem. Co. v.*
2 *Lindquist*, No. C20-1508JLR, 2022 WL 1443676, at *2 (W.D. Wash. May 6, 2022). When
3 seeking an extension, the good cause standard primarily considers the diligence of the party
4 seeking the extension. *Id.*

5 Given all of the above and the potential for dismissal with prejudice, the Court will grant
6 Petitioner’s request for an extension.

7 Accordingly, having considered the above Motion and remainder of the record, the Court
8 hereby finds and ORDERS that Petitioner’s Motion for Extension of Time, Dkt. #11, is
9 GRANTED. Petitioner’s Objections to the pending Report and Recommendation are now due
10 on June 6, 2025. The Objections must be filed and served upon all parties no later than that date.
11 If Objections are filed, any response is due within 14 days after being served with the Objections.

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13 DATED this 20th day of May, 2025.

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16 RICARDO S. MARTINEZ
17 UNITED STATES DISTRICT JUDGE
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